

In The Common Law, Court of Record

Of

We the People of the United States of America

Magistrate Donald John Trump, Presiding

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Tribunal denny ray hardin, Sovereign Plaintiff

denny ray hardin,

]

Sovereign Plaintiff,

]

]

vs

] Case No. 2

]

Doug Collins, Secretary

]

Department of Veteran Affairs

]

Defendant.

]

“Petition For Review”

By

“Commander In Chief”

Comes Now, denny ray hardin, sovereign plaintiff to exercise his 1st
Amendment Right to petition government for the redress of grievances. Because
the Department of Veteran Affairs is coordinating with Non-Governmental
Organizations to deny veterans' compensation for the injuries suffered while
serving in the arm forces, this matter needs review by the "Commander in Chief"
to remove the common practice of denial.

History:

In March of 1976, I enlisted in the United States Navy. After boot camp, I was
assigned to the USS Barbour County, LST 1195. I checked on board ship in "dry
dock" and was assigned to the rehab of living compartments. Part of the rehab
was removing asbestos from steam pipes and laying floor tile. While carrying out
these duties I was exposed to the hazardous material asbestos.

Note: Asbestos – "Exposure to asbestos can be a serious health risk if asbestos –
containing material is disturbed in such a way that the particles and fibers become
airborne. Symptoms of asbestos-related diseases, such as shortness of breath,
coughing and chest pain, often do not appear until 20 – 50 years after exposure.

[Source: Public Health Statement U.S. Department of Veteran Affairs.]

Compensation Benefits for Health Problems:

“Veterans may file a claim for disability compensation for health problems they believe are related to exposure to asbestos during military service. VA decides these claims on a case-by-case basis.”

[Source: U.S. Department of Veteran Affairs | 810 Vermont Avenue, NW Washington DC 20420, last updated October 13, 2023.]

In February of 2021, I suffered a heart attack and was admitted to St. Luke’s Hospital, because the VA Hospital does not handle heart attacks, where 5 stints were put in my heart. The heart Doctor prescribed many pharmaceuticals, but the VA Pharmacy changed the medications without doctor consent. Five of the new medications I was given had the side effect of “shortness of breath” with instructions to inform the Doctor which I did at every appointment. The Doctor informed me to keep taking the drugs. In April of 2021, while taking these drugs I was diagnosed with severe COPD. In the course of the year of taking these drugs I deteriorated to the point I could no longer work.

Note: The above facts of medical malpractice entitle me to a 38 U.S.C. 1151 claim against the VA Hospital but attorneys refuse to fight government.

I was forced to retire and live on Social Security of \$940.00 per month and \$22.00 Disability because I could no longer work due to breathing problems. I had become so bad I could not walk up three steps without breathing heavily. My wife told me those drugs are killing you, after a year I quit all medications. Because of my health and financial situation, in July of 2024 I filed an application for VA Disability, based upon asbestos exposure.

Non Governmental Organizations (NGO):

1. Optum Serve: 8/23/2024 I submitted to a VA Benefits General Medical, PTF examination, by a “Nurse Practitioner” . It determined I had severe breathing problems, based upon the VA diagnosis of COPD. They determined because I was a smoker, it was more likely my breathing problem was caused by that, not asbestos. Based upon this determination, my VA Disability Claim was denied 11/15/2024. Because Optum Serve failed to state I quit smoking for 8 ½ years but still had breathing problems, I filed an appeal. On March 31, 2025 the VA found error during the higher level review and scheduled a second VA Benefits General Medical, PTF examination.

2. QTC Medical Services, Inc.: 4/08/2024 I submitted to the second examination with the same results. The “Physician Assistant” determined the breathing problem was due to smoking, not asbestos exposure. The appeal was denied claiming I

could not prove my breathing problems were service related. They conceded I was a participant of a toxic exposure risk activity and my military occupational specialty has a probability of asbestos exposure, but since I could not prove the problem existed 50 years ago, my claim was denied.

Note: I went to my VA Doctor and asked if there was a test to determine if asbestos exposure caused my breathing problems. He informed me there is no test to determine asbestos exposure. The VA examination dated August 23, 2024 noted a diagnosis of a disability of chronic obstructive pulmonary disease (COPD).

My Question: If asbestos exposure and COPD both have the same symptoms of shortness of breath, coughing and chest pain, and there is no test to definitively determine the difference, then why was a claim that showed exposure and diagnosis rejected?

Conclusion: By the VA diagnosing COPD and not asbestos exposure then the bar was raised to impossibility to prove my breathing problem was caused by asbestos not smoking. But the fact I quit smoking for 8 ½ years and still had breathing problems makes me believe asbestos is the problem, with no way to prove it. I quit smoking from 2010 to 2018, before my heart attack, but had trouble breathing worsening until 2021.

3. Allsup: In July of 2025, I contacted this Veteran Disability Service Organization (NGO) to review my claim for Disability. Their determination was since I appealed and was denied that is it. There is nothing else that can be done. They recommended I contact an attorney to file a 38 U.S.C. 1151 against the VA for medical malpractice. After three attorney firms refused to fight the VA that possibility ended.

Coordination against veterans:

There seems to be a pattern of behavior to deny veterans treatment and benefits. Science says if you quit smoking your lungs heal themselves in two years, if Doctors are to be believed, there is no reason to quit smoking because your lungs never heal. The VA Doctors do nothing to cure the problem, but are quick to prescribe inhalers to treat the symptoms. Veterans are treated like lab animals to test how many drugs can be prescribed before the patient dies.

Then when you seek benefits for what you believe is the cause they stand in unison to spout the smoking caused it not asbestos. The non doctors of NGOs all support the findings of each other but establish definitively it cannot be service related without proof to support their findings. Then it becomes the veteran's duty to prove them wrong an impossible feat. But they are government, funded by tax payers, they don't have to do their job they just deny the claim, end of story.

Attorneys have created a system of impossibility where no veteran can prove exposure to asbestos 49 years ago is causing their breathing problems today. The illusion of serving veterans while denying them benefits all paid by taxpayers.

Discrimination of Veterans:

Because Veterans receive their medical treatment from the VA Hospital, Veterans are denied all stimulus given to Medicare and Medicaid recipients. I get calls all the time for stimulus relief of \$6,400.00 but must have Medicare Parts A and B to qualify. Other calls are offering \$1,800.00 to pay bills, buy groceries or pay utilities, again you must have Medicare Parts A and B to qualify, Veterans do not. They claim these stimulus are for all Americans but they fail to say except Veterans. Every offer of assistance is denied because I am a Veteran.

Last Chance:

I have worked my whole life paying into the system, but in my old age I live on \$940.00 per month of Social Security. I would prefer to work rather than seek assistance, but my breathing problem forces me to come with hat in hand. I must swallow my pride and seek assistance to help take care of my family because I can no longer provide for them. You cannot imagine the shame I feel not being able to be the provider for those I love and being forced to seek charity.

Appeal for Help:

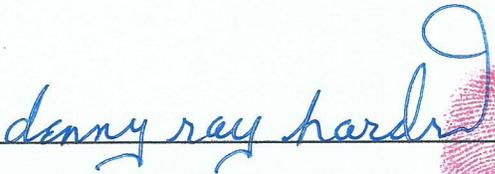
Veterans, many homeless, many sick, all are tired of the discrimination of the system. There are hundreds of thousands paid by taxpayers to work the system against Veterans. I ask is this the best government can do for those seeking help? Where is America First? Where is assistance for those who need help? Where is the humanity of government? I see none, all I see is corruption of the process to denial, all chips are stacked against Veterans with no relief in sight. And you wonder why so many kill themselves.

Truth:

The foregoing can all be verified through the Veterans Administration of the "Application for Disability" of Denny Ray Hardin, 497-68-6951 and the subsequent appeal.

Please allow me to thank you in advance for the consideration you give my petition and any action you take on behalf of all Veterans to ease our burdens. Should you have questions or if I can be of assistance my number is (816)522-5587. I am usually up by 3:30am Central Time.

With the utmost respect,



denny ray hardin, sovereign
2450 Elmwood Avenue
Kansas City, Missouri 64127
(816)522-5587



Certificate of Service:

I, hereby certify a copy of the foregoing was mailed by first class mail on this 28th
day of July in the year of our Lord 2025 to the following:

Doug Collins, Secretary
Department of Veteran Affairs
810 Vermont Avenue, NW
Washington, DC 20420



denny ray hardin, sovereign

